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9 *Attorney for Defendant* MICKEY GINES

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA )

Case No.: 2:13-cr-355-GMN-CWH

13 Plaintiff, )

14 **STIPULATION TO CONTINUE**  
15 **SENTENCING HEARING**

16 vs. )

EIGHTH REQUEST

17 MICKEY GINES, )

18 Defendant. )

19 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting

20 United States Attorney, by and through Daniel J. Cowhig, Assistant United States Attorney, and

21 Defendant Mickey Gines, by and through his counsel, Mace J. Yampolsky, Esq., that:

22 1. Defendant MICKEY GINES' Sentencing Hearing, currently scheduled for  
23 September 15, 2017, June 22, 2017, at the hour of 10:30 a.m., be continued for a  
24 period of one week, to be determined by the convenience of the Court.

25 2. Counsel for Defendant Mickey Gines' will be attending a wedding in Connecticut  
on September 15, 2017 and, therefore, will not be in the jurisdiction.

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///

1           3.     The Defendant is out of custody and agrees to continuance of the sentencing  
2           hearing.

3           4.     The Defendant waives any right he might have to speedy sentencing in this matter.

4           5.     Additionally, denial of this request for continuance could result in a miscarriage of  
5           justice.

6           6.     This is the eighth request to continue sentencing in this case.

7           7.     Defense and Government counsel agree that the proposed continuance is sought in  
8           good faith and not for purposes of delay.

9           DATED this 5<sup>th</sup> day of September, 2017.

10          OFFICE OF THE U.S. ATTORNEY

MACE J. YAMPOLSKY, LTD.

11               /s/ Daniel J. Cowhig

/s/ Mace J. Yampolsky

12          Daniel J. Cowhig  
13          Assistant United States Attorney

Mace J. Yampolsky, Esq.  
Counsel for Defendant Gines

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9 *Attorney for Defendant* MICKEY GINES

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA	)	Case No.: 2:13-cr-355-GMN-CWH
	)	
13 Plaintiff,	)	<b>FINDINGS OF FACT AND</b>
	)	<b>CONCLUSIONS OF LAW</b>
	)	
14 vs.	)	
	)	
15 MICKEY GINES,	)	
	)	
16 Defendant.	)	
	)	

17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
19 Court hereby finds that:

- 20 1. Defendant MICKEY GINES' Sentencing Hearing is currently scheduled for September  
21 15, 2017, at 10:30 a.m.
- 22 2. Counsel for Defendant Mickey Gines' will be attending a wedding in Connecticut on  
23 September 15, 2017 and, therefore, will not be in the jurisdiction.
- 24 3. The Defendant is out of custody and agrees to continuance of the sentencing hearing.
- 25 4. The Defendant has waived any right he might have to speedy sentencing in this  
matter.

1  
2 5. Additionally, denial of this request for continuance could result in a miscarriage of  
3 justice.

4 6. This is the eighth request to continue sentencing in this case.

5 7. Defense and Government counsel agree that the proposed continuance is sought in  
6 good faith and not for purposes of delay.

7 **CONCLUSIONS OF LAW**

8 Based on the fact that counsel for Defendant MICKEY GINES will be out of the  
9 jurisdiction on September 15, 2017, and based on the fact that counsel for the parties do not object  
10 to the continuance, and based on the fact that denial of this request for continuance could result in  
11 a miscarriage of justice; the Court hereby concludes that:

12 1. The ends of justice are served by granting said continuance since the failure to grant  
13 said continuance would be likely to result in a miscarriage of justice.  
14

15 **ORDER**

16 IT IS THEREFORE ORDERED that the sentencing currently scheduled for September  
17 15, 2017, at the hour of 10:30 a.m. be vacated and continued to  
18 Thursday, September 28, 2017 at 11:00 a.m. in Courtroom 7C.

19  
20   
21 UNITED STATES DISTRICT JUDGE  
22 DATED: September 11, 2017  
23  
24  
25